

Effective 5/10/2016

17-16-203 Personal use expenditure -- Authorized and prohibited uses of campaign funds -- Enforcement -- Penalties.

- (1) A county office candidate, county officer, local school board candidate, or local school board member may not use money deposited into the separate bank account required under Section 17-16-6.5 for:
 - (a) a personal use expenditure; or
 - (b) an expenditure prohibited by law.
- (2)
 - (a) A county clerk shall enforce this section prohibiting a personal use expenditure by:
 - (i) evaluating a financial statement to identify a personal use expenditure; and
 - (ii) commencing an adjudicative proceeding in accordance with applicable county ordinance or policy if the county clerk has probable cause to believe a county office candidate, county officer, local school board candidate, or local school board member has made a personal use expenditure.
 - (b) Following the proceeding, the county clerk may issue a signed order requiring a county office candidate, county officer, local school board candidate, or local school board member who has made a personal use expenditure to:
 - (i) remit an administrative penalty of an amount equal to 50% of the personal use expenditure to the county clerk; and
 - (ii) deposit the amount of the personal use expenditure in the campaign account from which the personal use expenditure was disbursed.
 - (c) The county clerk shall deposit money received under Subsection (2)(b)(i) into the county's general fund.

Enacted by Chapter 50, 2016 General Session